

**Minutes
Regular Meeting
of the
Louisville Metro Air Pollution Control Board
October 15, 2008**

The regular meeting of the Louisville Metro Air Pollution Control Board (Board) was called to order on October 15, 2008, at 10:18 a.m. in the Board Room of the Louisville Metro Air Pollution Control District, 850 Barret Avenue, Louisville, Kentucky, by the Chairman, Dr. Robert Powell. Other Board members present were Dr. Nadir Al-Shami, Ms. Barbara Sexton Smith, Ms. Vanessa Ruffin, Mr. Ronald Thomas, Ms. Bonnie Biemer, and Mr. Bill Jacob. A quorum was present.

The following Louisville Metro Air Pollution Control District (District) staff members were present: Lauren Anderson, Joseph Schweinhart, Matt Stull, Cynthia Lee, Terri Phelps, Eva Addison, Larry Garrison, Diane Hazellief, Steven Gravatte, Jenny Rhodes, Michelle Stites, Shane Corbin, Anne Marie Gauntlett, Craig Butler, and Monica Little. Also present were Assistant County Attorneys Stacy Fritze and Kathryn Hargraves, and County Attorney staff member Tammy Brown.

The following guests were present: A.J. Borromeo, MV Transit/TARC 3; Tim Corrigan, GLI; Mike DeBusschere, KEC; Dr. Lauren Heberle, UofL/EFC; Carl Hilton, West Jefferson County Community Task Force; Rich Robinson, American Synthetic Rubber Company; Sarah Scheetz, E.On U.S.; Luran Sturm, Stites & Harbison, PLLC; and Richard Williams.

Approval of Minutes

The minutes of the August 20, 2008, and September 17, 2008, regular Board meetings were approved as written.

New Business

A. Amendment to Regulation 2.08, *Emission Fees, Permit Fees, Permit Renewal Procedures, and Additional Program Fees*, Version #22, Draft #1 – Proposed, August 22, 2008

Ms. Anderson said the District recommends that the Board adopt Regulation 2.08, Version #22, Draft #1, Proposed, August 22, 2008.

Motion: Dr. Al-Shami moved to adopt Regulation 2.08 as recommended by the District.

The motion passed unanimously.

B. Amendment to Regulation 6.40 *Standards of Performance for Gasoline Transfer to Motor Vehicles (Stage II Vapor Recovery and Control)*, Version #3, Draft #1 – External, October 15, 2008

Ms. Anderson stated the District recommends that the Board adopt Regulation 6.40, Version #3, Draft #2 – External, October 15, 2008, which was distributed at the meeting. The revised regulation reflects two amendments that were made in response to public comments.

Motion: Mr. Jacob moved to adopt amended Regulation 6.40 as recommended by the District.

The motion passed unanimously.

C. Idling Reduction Working Group Advisory Report

Ms. Lee, Environmental Programs Manager, introduced Erin Vachon, Environmental Coordinator. Ms. Vachon provided staff support to the Idling Reduction Working Group (IRWG). Ms. Lee also recognized IRWG members who were in attendance at the Board meeting.

Ms. Vachon said that during the past few years, the District convened three stakeholder groups who developed emission reduction strategies for ozone, fine particles and toxics. In addition, each of the stakeholder groups identified engine idling as a significant air quality issue and recommended that the District work to reduce idling in the community. As a result, the District convened the IRWG to address an idling restriction for the community.

Ms. Vachon introduced IRWG member, A.J. Borromeo of MV Transit. Mr. Borromeo presented a summary of the IRWG's work since the committee began meeting in April 2008. The IRWG consisted of 25 individuals from the private and public sector. The IRWG held monthly meetings and discussed idling restriction topics focused on scope, exemption and enforcement.

Ms. Vachon stated that a reduction of idling activities will further decrease concentrations of ozone and fine particles in the air which will help the community reach attainment and avoid future federal violations. Most importantly, Ms. Vachon said that an idling restriction would improve public health. It would also decrease the use of vehicle fuel and lower vehicle maintenance costs. Ms. Vachon stated that going forward, the District will address several issues that include minimizing the impact of an idling restriction on business and industry. She stated the District expects to have an idling restriction finalized in December 2008.

There were questions from the Board and a discussion related to the advantages of not idling, the perceived advantage of idling, measures that some businesses have already implemented, and public outreach and education.

Ms. Anderson said that an effective public outreach and education campaign is an important process to make the point to the community that idling is expensive. Mr. Stull said the KAIRE program conducted a survey on idling and expects to have a report before the end of the year. Also, the KAIRE program has several public service ads on Insight Cable that relate to idling which is an initial step to build a base for this type of messaging. Mr. Stull said that as funding permits, the KAIRE program will increase idling messages in schools and to the public.

Committee Reports

Ms. Lee reported that the Idling Reduction Working Group held its final meeting on September 24, 2008. At the meeting, the IRWG members reviewed the recommendations and

discussed how to enforce an idling restriction. Ms. Lee asked Board members and the public to inform her of any grant opportunities for idling as the District moves forward with rulemaking.

Major Glen Gagel of the Louisville Fire Department and a member of the IRWG stated he believes the auto industry needs to be encouraged to implement technology to reduce idling in order for a restriction to be effective.

Ms. Anderson commended Ms. Lee and Ms. Vachon for their work with the committee. Ms. Anderson said the District will review the recommendations in the IRWG report and discuss policy decisions that need to be made in collaboration with other Metro agencies and the Metro Council on how to fully enforce the idling restriction. Ms. Anderson stated she was not sure if the idling restriction will become an ordinance or a District regulation, or both. She said the Board will be kept informed on the progress of the idling restriction.

Staff Reports

A. Director

Ms. Anderson reported that several personnel changes have occurred at the District since the last Board meeting. She stated that Mr. Jonathan Trout, Board Secretary-Treasurer, has resigned as Assistant Director from the District. Ms. Anderson said that Mr. Joseph Schweinhart began employment with the District on October 13, 2008, as the Executive Administrator and Board Secretary-Treasurer. Mr. Schweinhart has a background in public service with the former county government and the City of Hurstbourne, and most recently returned to Louisville after residing in Oregon for eight years.

Ms. Anderson stated there are several key positions at the District that remain vacant and she hopes to have the vacancies filled soon. Ms. Anderson thanked District staff for their support and good work despite the numerous staff changes that have occurred over the past six months.

Ms. Anderson announced that the District's Board Room and the second floor reception area are being refurbished with paint and carpet.

Ms. Anderson said the Metro Council passed a resolution on September 25, 2008, asking the District to evaluate the use of reformulated gasoline (RFG) versus the alternative of reduced vapor pressure (RVP) gasoline. In addition, the Metro Council asked the District to compare the gasolines to get the relative benefits of burning and to provide them with a recommendation. Ms. Anderson said the mandate to use RFG was issued statewide during Governor Brereton Jones' tenure. Ms. Anderson stated that Craig Butler, Environmental Coordinator, ran some numbers that favor the continued use of RFG. The research determined that if Jefferson County were to discontinue using RFG and switched to reduced RVP gasoline, there would be a significant increase annually of VOCs, NO_x and carbon monoxide pollutants. She said the VOCs and NO_x numbers would be much higher for conventional gasoline but that carbon monoxide emissions would be lower. Ms. Anderson said the District will evaluate where reductions in pollutants could be made if the community discontinues using RFG. Ms. Anderson will present the considerations to the Metro Council in addition to the benefits and burdens of RFG.

Ms. Anderson reported that she will attend the Fall Committee Meeting of the National Association of Clean Air Agencies October 20-23, 2008, in Tempe, Arizona and will present information on climate change initiatives in Louisville.

Ms. Anderson announced that Ms. Barbara Sexton Smith received a 2008 Tower Award for Women Leaders from Presentation Academy on behalf of her work in arts and communication. The award is presented to outstanding women in the community.

B. Air Quality Data

Ms. Anderson said the 2008 ozone season is almost over. Currently, the Louisville area has had 17 exceedances on nine days, and Jefferson County had five exceedances on five days. She said the current ozone standard in effect for eight hours is 75 ppb, and final ozone designations are due to EPA in March 2010.

Ms. Anderson stated that final designations on PM_{2.5} for the current standard will most likely come from EPA by the end of this year. She said that meeting the PM_{2.5} standard is a challenge and that both ozone and PM_{2.5} are the two pollutants that continue to be a problem for the Louisville area and the rest of the country. The ozone and PM_{2.5} numbers have been decreasing consistently and were modeled to be in attainment in the near future. Ms. Anderson said the District will take steps to be pro-active by trying to further reduce the ozone and PM_{2.5} pollutants.

The air quality monitoring reports were submitted for filing. A copy of each report is attached to the original minutes.

C. Enforcement Status

The enforcement reports were submitted for filing. A copy is attached to the original minutes.

D. Excess Emission Report

The September 2008 *Excess Emission Reports* was submitted for filing. A copy is attached of the original minutes.

E. Permit Application Reports

Ms. Anderson reported that during September 2008, Engineering received 21 permit applications and issued 20 permits, for a net backlog decrease of one.

The permit application reports were submitted for filing. A copy is attached to the original minutes.

F. Lawn Care for Cleaner Air Awards

The list of this month's *Lawn Care for Cleaner Air Award* recipients was submitted for filing. A copy is attached to the original minutes.

Other

Dr. Powell asked Board members to sign and return the Receipt of Open Records Act that was included in the Board packet. He also asked the Board to review the Open Records Act and open meeting documents to learn more about the procedures.

Dr. Powell and Ms. Anderson thanked the Board for their attendance and expressed appreciation for their participation and support.

Next Meeting

The next regular Board meeting is scheduled Wednesday, November 19, 2008, at 10:00 a.m.

Adjournment

The meeting adjourned at 11:13 a.m.

Robert W. Powell, M.D.
Chairman

Joseph E. Schweinhart
Secretary-Treasurer